HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

W.P.No.3575 of 1999

Between

S.Rama Raju and another ..petitioners

AND

A.P. State Electricity Board represented by its Secretary and another ..Respondents

:: JUDGMENT ::

Counsel for the petitioners	Smt.T.V.Sridevi for Sri E.V.Bhagiratha Rao
Counsel for respondents	Sri Samineni Kishore

19.12.2006

The petitioners, who claim to possess the qualification of S.S.C. and have completed two years training and are registered with Employment Exchange, Mahabubnagar, have filed this petition under Article 226 of the Constitution of India for issue of a mandamus to the respondents to appoint them as Helpers in accordance with the policy decision contained in B.P.Ms.No.36, dated 18.5.1997 issued by the erstwhile Andhra Pradesh State Electricity Board (for short, 'the Board').

In the affidavit filed by petitioner No.1 – S.Rama Raju, it has been averred that both the petitioners were interviewed by Superintending Engineer, Operation, Andhra Pradesh State Electricity Board, Mahabubnagar (respondent No.2) on 2.2.1999, but they have not been appointed despite the fact that 200 posts of Helper are available at Mahabubnagar under the control of respondent No.2.

In the counter affidavit filed by Sri Manohar Reddy, Superintending Engineer, Operation Circle, APCPDCL, Mahbubnagar, it has been averred that the petitioners are not entitled to be appointed in terms of the policy contained in B.P.Ms.No.36 dated 18-5-1997 because they were engaged by the contractor after coming into force of the policy contained in B.P.Ms.No.36, dated 18.5.1997. According to Sri Manohar Reddy, the petitioners were engaged on 15.6.1997 and, therefore, they were not eligible to be considered for absorption in the regular establishment of the Board.

I have heard the learned counsel for the parties. In my opinion, the writ petition is wholly misconceived and is liable to be dismissed because the policy decision taken by the Board, which was circulated by B.P.Ms.No.36 dated 18.5.1997, contemplated consideration of the candidature of only those who were engaged by the contractors of the Board prior to 18.5.1997 and, as per the averments contained in the

affidavit of Shri S. Rama Raju, the petitioners had been engaged by the contractor after 18.5.1997.

For the reasons stated above, the writ petition is dismissed.

G.S.SINGHVI, CJ

19-12-2006

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